

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SHELL-PLOOG FARM, FILED ON OCTOBER 2, 1936, BY L. H. WITWER, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on October 19, 1936, be effective as of October 19, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission,

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 3063—Filed, October 23, 1936; 12:44 p. m.]

Tuesday, October 27, 1936 No. 161

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

ESTABLISHING LONG TAIL POINT MIGRATORY WATERFOWL REFUGE

Wisconsin

By virtue of and pursuant to the authority vested in me as President of the United States and by the act of June 25, 1910, ch. 421, 36 Stat. 847, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that the following-described area containing 103.06 acres, more or less, located in the Green Bay, Wisconsin, and known as Long Tail Point Island, together with all buildings thereon, be, and it is hereby, reserved and, subject to valid existing rights, set apart for the use of the Department of Agriculture as a refuge and breeding ground for migratory waterfowl and other wildlife:

FOURTH PRINCIPAL MERIDIAN

- T. 24 N., R. 21 E., sec. 5, lot 1.
T. 25 N., R. 21 E., sec. 31, lot 1;
sec. 32, lots 1, 2, and 3.

The Executive Order of September 2, 1847, reserving the above-described lands for lighthouse purposes is hereby revoked.

This refuge shall be known as the Long Tail Point Migratory Waterfowl Refuge.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE, October 23, 1936.

[No. 74761]

[F. R. Doc. 3074—Filed, October 24, 1936; 10:48 a. m.]

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48589]

PORT OF ENTRY

EXTENSION OF THE LIMITS OF CUSTOMS PORT OF ENTRY OF BROWNSVILLE, TEXAS

OCTOBER 21, 1936.

To Collectors of Customs and Others Concerned:

There is published below, for the information of Customs officers and others concerned, the following Executive Order, dated October 17, 1936, extending the limits of the customs

port of entry of Brownville, Texas, in Customs Collection District No. 23 (San Antonio), effective as of the date of the order.

[SEAL]

W. R. JOHNSON, Acting Commissioner of Customs.

EXECUTIVE ORDER

By virtue of and pursuant to the authority vested in me by the act of August 1, 1914, ch. 223, 38 Stat. 609, 623 (U. S. C., title 19, sec. 2); the limits of the customs port of entry of Brownville, Texas, in Customs Collection District No. 23 (San Antonio), are hereby extended, effective immediately, so as to include therein the following additional territory:

A strip of land on both sides of 14th Street Road (known as state highway No. 4 between the corporate limits of Brownville and Boca Chica Road, and as state highway No. 48 running northeasterly from Boca Chica Road), having a width of 50 feet on each side from the center line thereof, beginning at the corporate limits of the city of Brownville, and extending to the land of the Brownville Navigation District, Cameron County, Texas, and including the land of the navigation district surrounding the turning basin for vessels, and said turning basin, as shown on the map prepared by the Brownville Navigation District on May 14, 1935, on file in the Bureau of Customs, U. S. Treasury Department, Washington, D. C.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE, October 17, 1936.

[No. 7474]

[F. R. Doc. 3072—Filed, October 24, 1936; 10:08 a. m.]

DEPARTMENT OF THE INTERIOR.

Division of Grazing.

GRAZING DISTRICT NOTICE

Oregon

Pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269), commonly known as the Taylor Grazing Act, as amended June 26, 1936, notice is hereby given that a hearing will be held by the Department of the Interior for the purpose of considering the establishment of a grazing district in the Counties of Morrow, Umatilla, and Gilliam, State of Oregon, at the following place and time, and any place or time, to which such hearing may be adjourned:

Table with 4 columns: State, Place, Date, Hour. Row 1: Oregon, Heppner, November 6, 1936, 10 a. m.

This hearing will be open to the attendance of State officials, settlers, residents, and livestock owners, who are interested in the grazing use of the public domain in said State.

T. A. WALTERS, Acting Secretary of the Interior.

Date, October 20, 1936.

[F. R. Doc. 3071—Filed, October 24, 1936; 9:35 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

ORDER AMENDING THE ORDER REGULATING THE HANDLING OF CITRUS FRUIT GROWN IN THE STATE OF FLORIDA

Whereas, the Secretary of Agriculture of the United States issued an order regulating the handling of citrus fruit grown in the State of Florida on May 4, 1936, effective May 8, 1936; and

Whereas, at the request of the Control Committee established by the said order, a hearing was held upon an amendment to the order on May 26, 1936, notice of which was given to interested parties in accordance with the General Regulations of the Agricultural Adjustment Administration of the Department of Agriculture; and

Whereas, the Secretary of Agriculture on June 26, 1936, issued the amendment hereinafter quoted and took steps to ascertain whether the producers of citrus fruit grown in the State of Florida, favor or approve making the amendment effective; and

Whereas, the Secretary finds:

1. That the issuance of this amendment to said order is favored by producers who during the season 1934-1935, which is hereby determined to be a representative period, have produced within the State of Florida for market at least two-thirds of the volume of oranges, grapefruit, and tangerines, respectively, produced in said State for market during said period; and

2. That this order, as amended, regulates the handling of said commodities in the same manner as, and is made applicable only to persons in the respective classes of industrial and commercial activities specified in a marketing agreement, upon which a hearing was held on February 27, 1936, as amended in certain respects, upon which amendment a hearing was held on May 26, 1936; and

3. That handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping said commodity or products thereof) of not less than fifty percent (50%) of the volume of said commodity covered by this order, as amended, which is produced within the production area defined in the aforesaid order, as now amended, have signed a marketing agreement amending the marketing agreement entered into pursuant to section 8b of said title, which marketing agreement, as so amended, regulates the handling of said commodity in the same manner as the aforesaid order, as now amended, regulates it; and

4. That this order, as amended, and all the terms and conditions thereof will tend to effectuate the declared policy of the Agricultural Adjustment Act, as amended, with respect to the establishment and maintenance of such marketing conditions as will reestablish prices to farmers at a level that will give such fruit a purchasing power with respect to articles that farmers buy, equivalent to the purchasing power of such fruit in the base period, and will protect the interest of the consumer by (a) approaching such level of prices by securing a gradual correction of the current level at as rapid a rate as the Secretary deems to be in the public interest and feasible in view of the current consumptive demand in the domestic and foreign markets, and (b) authorizing no action which has for its purpose the maintenance of prices to farmers above the level which it is declared in subsection (1) of section 2 of title I of said act to be the policy of Congress to establish.

Now, therefore, the Secretary of Agriculture, acting under the authority vested in him under the Agricultural Adjustment Act, as amended, hereby amends the Order Regulating the Handling of Citrus Fruit Grown in the State of Florida in the following respects:

1. By adding at the end of section 8 of article IV of said order the following sentence:

The said Control Committee, upon its own initiative, subject to the opportunity of the person affected to be heard, may correct any allotment base if the evidence reveals such allotment base is inaccurate or inequitable.

In witness whereof, I, R. G. Tugwell, do hereby execute in duplicate and issue this order and cause the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, on the 24th day of October 1936 and declare this order to be effective on and after 12:01 a. m., e. s. t., October 28, 1936.

[SEAL]

R. G. TUGWELL,  
Acting Secretary of Agriculture.

[F. R. Doc. 3075—Filed, October 24, 1936; 11:17 a. m.]

NER—B-4, Revised—Pennsylvania Issued October 26, 1936  
1936 AGRICULTURAL CONSERVATION PROGRAM—NORTHEAST  
REGION

BULLETIN NO. 4, REVISED—PENNSYLVANIA

County Average Rates of Soil-Conserving Payments in  
Connection With the General Soil-Depleting Base

Pursuant to the authority vested in the Secretary of  
Agriculture under section 8 of the Soil Conservation and

Domestic Allotment Act, Northeast Region, Bulletin No. 4,  
for the State of Pennsylvania is hereby amended to read as  
follows:

County Average Rates of Soil-Conserving Payments for Production  
of Soil-Conserving Crops on Acreage Diverted from the General  
Soil-Depleting Base.

In accordance with the provisions of section 2 (a), part II of  
Northeast Region Bulletin No. 1, Revised, and subject to the pro-  
visions of said bulletin and all other bulletins heretofore or here-  
after issued, for the respective counties of the State of Pennsylv-  
ania, the county average rates of payment per acre to be used in  
determining payment for the diversion of crops from the general  
soil-depleting base to the production of soil-conserving crops in  
1936 shall be as shown hereunder.

County—Rate of payment per acre

Blair, \$11.30; Bucks, \$13.70; Cambria, \$11.10; Chester, \$16.40;  
Columbia, \$12.00; Crawford, \$11.60; Fayette, \$9.70; Forest, \$10.50;  
Fulton, \$9.70; Green, \$11.30; Indiana, \$11.20; Juniata, \$11.20;  
Lackawanna, \$10.30; Lancaster, \$17.70; Lawrence, \$11.60; Lebanon,  
\$14.30; Lehigh, \$13.10; Luzerne, \$11.70; Montour, \$11.90; North-  
umberland, \$12.00; Snyder, \$11.40; Tioga, \$10.50; Union, \$12.60;  
Wayne, \$11.70; Westmoreland, \$10.70; Wyoming, \$11.00; York,  
\$14.80.

In testimony whereof, W. R. Gregg, Acting Secretary of  
Agriculture, has hereunto set his hand and caused the official  
seal of the Department of Agriculture to be affixed in the  
City of Washington, District of Columbia, this 26th day of  
October 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3091—Filed, October 26, 1936; 12:03 p. m.]

WR—B-2—Arizona-1, Revised  
Supplement (b)

Issued October 23, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 2—ARIZONA-1, REVISED—SUPPLEMENT (B)

Range-building Practices

Pursuant to the authority vested in the Secretary of  
Agriculture under Section 8 of the Soil Conservation and  
Domestic Allotment Act, Western Region Bulletin No. 2—  
Arizona-1, Revised, as amended by Supplement (a), is  
hereby further amended, and said Supplement (a) is hereby  
revised and superseded, by this Supplement (b), as follows:

SECTION 1. Range-Building Practices and Rates of Payment.—In  
accordance with the provisions of section 2, part VII of Western  
Region Bulletin No. 1, Revised, payment will be made for the  
carrying out on range land in 1936 of range-building practices  
instituted subsequent to September 8, 1936, as follows:

(a) *Contouring*.—A payment of 60 cents for each acre furrowed  
on the contour, furrows to be not less than 8 inches in width  
and 4 inches in depth, dammed at intervals of not more than 100  
feet and constructed on slopes in excess of 2%, with intervals  
between furrows not more than 25 feet.

(b) *Water Developments*.—(1) *Development of springs and  
seeps*.—A payment of \$50.00 will be made for digging out each  
spring or seep, protecting the source from trampling, and convey-  
ing the water, in a trough, or in a pipe not less than one inch  
in diameter, to a tank.

(2) *Earthen pits or reservoirs for holding run-off and impound-  
ing precipitation*.—A payment of 15 cents per cubic yard of fill  
or excavation will be made for constructing earthen pits or  
reservoirs with spillways adequate to prevent dams from washing  
out.

(3) *Wells*.—A payment of one dollar per linear foot will be made  
for the drilling or digging of wells, casing to be not less than four  
inches in diameter, provided a windmill or power pump is installed,  
and the water is piped to a tank or storage reservoir.

(c) *Water Spreading to Prevent Soil Washing*.—A payment will  
be made of 10 cents per 100 linear feet of permanent ditching con-  
structed and maintained for the diversion of surface water to pre-  
vent soil washing, not including any temporary field ditching or  
any ditching primarily for purposes of irrigation, sub-surface drain-  
age or under-drainage, or primarily for any purpose other than the  
prevention of soil washing. (See Farmers' Bulletin No. 1606, *Farm  
Drainage*, published by the U. S. Department of Agriculture.)

(d) *Range Fences*.—A payment of 30 cents per rod will be made  
for the construction of three or more wire fences, with posts not  
more than 20 feet apart, with corner posts well braced and with wires  
tightly stretched.

SECTION 2. General Conditions for Payment.—(a) No payment will  
be made for any range-building practice unless the county com-  
mittee, upon the basis of the examination of the ranching unit by  
the range examiner, has determined that such practice will tend

to effectuate the purposes of the act and has given written approval thereof.

(b) No total payment shall be made with respect to performances of range-building practices on any ranching unit which is in excess of the product of \$2.00 times the grazing capacity thereof.

(c) No payment shall be made with respect to any range-building practice which is initiated before September 9, 1936, and for any range-building practice which is not completed within the calendar year 1936.

(d) No payment shall be made unless the range-building practices performed are carried out in accordance with the generally accepted standards of good ranching practices, and by using the kinds and quantities of seeds and other materials normally employed for such practices.

(e) No payment shall be made with respect to performances for which the labor, seeds, or materials are furnished by any State or Federal agency.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 23rd day of October 1936.

[SEAL] W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3076—Filed, October 24, 1936; 11:17 a. m.]

WR—B—2—California—1, Revised Issued October 23, 1936  
Supplement (c)

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 2—CALIFORNIA—1, REVISED—SUPPLEMENT (C)

*Range-Building Practices*

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 2—California—1, Revised, as amended by Supplements (a) and (b) is hereby further amended and said Supplement (b) is hereby revised and superseded, by this Supplement (c), as follows:

**SECTION 1. Range-Building Practices and Rates of Payment.**—In accordance with the provisions of section 2, Part VII of Western Region Bulletin No. 1, Revised, payment will be made for the carrying out on range land in 1936 of range-building practices instituted subsequent to September 8, 1936, as follows:

(a) *Contouring.*—A payment of 60 cents for each acre furrowed on the contour, furrows to be not less than 8 inches in width and 4 inches in depth, dammed at intervals of not more than 100 feet and constructed on slopes in excess of 2% with intervals between furrows not more than 25 feet.

(b) *Water Developments.*—(1) *Development of springs and seeps.*—A payment of \$50.00 will be made for digging out each spring or seep, protecting the source from trampling, and conveying the water, in a trough, or in a pipe not less than one inch in diameter, to a tank.

(2) *Earthen pits or reservoirs for holding run-off and impounding precipitation.*—A payment of 15 cents per cubic yard of fill or excavation will be made for constructing earthen pits or reservoirs with spillways adequate to prevent dams from washing out.

(3) *Wells.*—A payment of \$1.00 per linear foot will be made for the drilling or digging of wells, casing to be not less than 4 inches in diameter, provided a windmill or power pump is installed, and the water is piped to a tank or storage reservoir.

(c) *Range Fences.*—A payment of 30 cents per rod will be made for the construction of three or more wire fences, with posts not more than 20 feet apart, with corner posts well braced and with wires tightly stretched.

(d) *Fire Guards.*—A payment of 3 cents per 100 linear feet will be made for the establishment of fire guards, not less than four feet in width, by ploughing furrows or otherwise exposing the mineral soil.

**Sec. 2. General Conditions for Payment.**—(a) No payment will be made for any range-building practice unless the county committee, upon the basis of the examination of the ranching unit by the range examiner, has determined that such practice will tend to effectuate the purposes of the act and has given written approval thereof.

(b) No total payment shall be made with respect to performances of range-building practices on any ranching unit which is in excess of the product of \$2.00 times the grazing capacity thereof.

(c) No payment shall be made with respect to any range-building practice which is initiated before September 9, 1936, and for any range-building practice which is not completed within the calendar year 1936.

(d) No payment shall be made unless the range-building practices performed are carried out in accordance with the generally accepted standards of good ranching practices, and by using the kinds and quantities of seeds and other materials normally employed for such practices.

(e) No payment shall be made with respect to performances for which the labor, seeds, or materials are furnished by any State or Federal Agency.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 23rd day of October, 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3086—Filed, October 24, 1936; 11:20 a. m.]

WR—B—2—Colorado—1, Revised  
Supplement (b)

Issued October 23, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 2—COLORADO—1, REVISED—SUPPLEMENT (B)

*Range-Building Practices*

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 2—Colorado—1, Revised, as amended by Supplement (a), is hereby further amended, and said Supplement (a) is hereby revised and superseded, by this Supplement (b), as follows:

**SECTION 1. Range-Building Practices and Rates of Payment.**—In accordance with the provisions of Section 2, part VII of Western Region Bulletin No. 1, Revised, payment will be made for the carrying out on range land in 1936 of range-building practices instituted subsequent to September 8, 1936, as follows:

(a) *Contouring.*—A payment of 60 cents for each acre furrowed on the contour, furrows to be not less than 8 inches in width and 4 inches in depth, dammed at intervals of not more than 100 feet and constructed on slopes in excess of 2%, with intervals between furrows not more than 25 feet.

(b) *Water Developments.*—(1) *Development of springs and seeps.*—A payment of \$50.00 will be made for digging out each spring or seep, protecting the source from trampling, and conveying the water, in a trough, or in a pipe not less than one inch in diameter, to a tank.

(2) *Earthen pits or reservoirs for holding run-off and impounding precipitation.*—A payment of 15 cents per cubic yard of fill or excavation will be made for constructing earthen pits or reservoirs with spillways adequate to prevent dams from washing out.

(3) *Wells.*—A payment of \$1.00 per linear foot will be made for the drilling or digging of wells, casing to be not less than 4 inches in diameter, provided windmill or power pump is installed, and the water is piped to a tank or storage reservoir.

(c) *Water Spreading to Prevent Soil Washing.*—A payment will be made of 10 cents per 100 linear feet of permanent ditching constructed and maintained for the diversion of surface water to prevent soil washing, not including any temporary field ditching or any ditching primarily for purposes of irrigation, sub-surface drainage or under-drainage, or primarily for any purpose other than the prevention of soil washing. (See Farmers' Bulletin No. 1606, *Farm Drainage*, published by the U. S. Department of Agriculture.)

(d) *Range Fences.*—A payment of 30 cents per rod will be made for the construction of three or more wire fences, with posts not more than 20 feet apart, with corner posts well braced and with wires tightly stretched.

(e) *Reseeding.*—(1) A payment of \$2.50 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 5 pounds per acre, with crested wheat grass, (2) A payment of \$1.25 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 7 pounds per acre, with slender wheat grass, western wheat grass, or brome grass (*bromus inermis*).

(f) *Railing Sagebrush.*—A payment of 50 cents per acre will be made for destroying sagebrush by use of railroad rails or by other mechanical methods that result in the destruction of at least 75% of the sagebrush cover.

**SECTION 2. General Conditions for Payment.**—(a) No payment will be made for any range-building practice unless the county committee, upon the basis of the examination of the ranching unit by the range examiner, has determined that such practice will tend to effectuate the purposes of the act and has given written approval thereof.

(b) No total payment shall be made with respect to performances of range-building practices on any ranching unit which is in excess of the product of \$2.00 times the grazing capacity thereof.

(c) No payment shall be made with respect to any range-building practice which is initiated before September 9, 1936, and for any range-building practice which is not completed within the calendar year 1936.

(d) No payment shall be made unless the range-building practices performed are carried out in accordance with the generally

accepted standards of good ranching practices, and by using the kinds and quantities of seeds and other materials normally employed for such practices.

(e) No payment shall be made with respect to performances for which the labor, seeds, or materials are furnished by any State or Federal agency.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 23rd day of October 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3077—Filed, October 24, 1936; 11:17 a. m.]

WR—B-2—Idaho-1, Revised Issued October 23, 1936  
Supplement (b)

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION  
BULLETIN NO. 2—IDAHO-1, REVISED—SUPPLEMENT (B)

*Range-Building Practices*

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 2—Idaho-1, Revised, as amended by Supplement (a) is hereby further amended, and said Supplement (a) is hereby revised and superseded, by this Supplement (b), as follows:

**SECTION 1. Range-Building Practices and Rates of Payment.**—In accordance with the provisions of section 2, part VII of Western Region Bulletin No. 1, Revised, payment will be made for the carrying out on range land in 1936 of range-building practices instituted subsequent to September 8, 1936, as follows:

(a) *Contouring.*—A payment of 60 cents for each acre furrowed on the contour, furrows to be not less than 8 inches in width and 4 inches in depth, dammed at intervals of not more than 100 feet and constructed on slopes in excess of 2%, with intervals between furrows not more than 25 feet.

(b) *Water Developments.*—(1) *Development of springs and seeps.*—A payment of \$50.00 will be made for digging out each spring or seep, protecting the source from trampling, and conveying the water, in a trough, or in a pipe not less than one inch in diameter, to a tank.

(2) *Earthen pits or reservoirs for holding run-off and impounding precipitation.*—A payment of 15 cents per cubic yard of fill or excavation will be made for constructing earthen pits or reservoirs with spillways adequate to prevent dams from washing out.

(3) *Wells.*—A payment of \$1.00 per linear foot will be made for the drilling or digging of wells, casing to be not less than 4 inches in diameter, provided a windmill or power pump is installed, and the water is piped to a tank or storage reservoir.

(c) *Water Spreading to Prevent Soil Washing.*—A payment will be made, of 10 cents per 100 linear feet of permanent ditching constructed and maintained for the diversion of surface water to prevent soil washing, not including any temporary field ditching or any ditching primarily for purposes of irrigation, sub-surface drainage or under-drainage, or primarily for any purpose other than the prevention of soil washing. (See Farmers' Bulletin No. 1606, *Farm Drainage*, published by the U. S. Department of Agriculture.)

(d) *Range Fences.*—A payment of 30 cents per rod will be made for the construction of three or more wire fences, with posts not more than 20 feet apart, with corner posts well braced and with wires tightly stretched.

(e) *Rodent Control.*—A payment for the destruction of at least ninety percent of the range-destroying rodents on an infested area will be made as follows: 15¢ per acre of area infested with pocket gophers.

(f) *Reseeding.*—(1) A payment of \$2.50 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 5 pounds per acre, with crested wheat grass.

(2) A payment of \$1.25 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 7 pounds per acre, with slender wheat grass, western wheat grass, or brome grass (*bromus inermis*).

(g) *Fire Guards.*—A payment of 3 cents per 100 linear feet will be made for the establishment of fire guards, not less than four feet in width, by ploughing furrows or otherwise exposing the mineral soil.

(h) *Railing Sagebrush.*—A payment of 50 cents per acre will be made for destroying sagebrush by use of railroad rails or by other mechanical methods that result in the destruction of at least 75% of the sagebrush cover.

**SECTION 2. General Conditions for Payment.**—(a) No payment will be made for any range-building practice unless the county committee, upon the basis of the examination of the ranching unit by the range examiner, has determined that such practice will tend to effectuate the purposes of the act and has given written approval thereof.

(b) No total payment shall be made with respect to performances of range-building practices on any ranching unit which is in excess of the product of \$2.00 times the grazing capacity thereof.

(c) No payment shall be made with respect to any range-building practice which is initiated before September 9, 1936, and for any range-building practice which is not completed within the calendar year 1936.

(d) No payment shall be made unless the range-building practices performed are carried out in accordance with the generally accepted standards of good ranching practices, and by using the kinds and quantities of seeds and other materials normally employed for such practices.

(e) No payment shall be made with respect to performances for which the labor, seeds, or materials are furnished by any State or Federal agency.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 23rd day of October 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3078—Filed, October 24, 1936; 11:18 a. m.]

WR—B-2—Kansas-1, Revised Issued October 23, 1936  
Supplement (b)

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 2—KANSAS-1, REVISED—SUPPLEMENT (B)

*Range-Building Practices*

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 2—Kansas-1, Revised, as amended by Supplement (a), is hereby further amended, and said Supplement (a) is hereby revised and superseded, by this Supplement (b), as follows:

**SECTION 1. Range-Building Practices and Rates of Payment.**—In accordance with the provisions of Section 2, part VII of Western Region Bulletin No. 1, Revised, payment will be made for the carrying out on range land in 1936 of range-building practices instituted subsequent to September 8, 1936, in all counties in the State of Kansas except the following: Nemaha, Jackson, Shawnee, Osage, Coffey, Woodson, Wilson, Montgomery, Brown, Atchison, Jefferson, Douglas, Franklin, Anderson, Allen, Neosho, LeBette, Doniphan, Leavenworth, Wyandotte, Johnson, Miami, Linn, Bourbon, Crawford, and Cherokee, as follows:

(a) *Water Developments.*—(1) *Earthen pits or reservoirs for holding run-off and impounding precipitation.*—A payment of 15 cents per cubic yard of fill or excavation will be made for constructing earthen pits or reservoirs with spillways adequate to prevent dams from washing out.

(2) *Wells.*—A payment of \$1.00 per linear foot will be made for the drilling or digging of wells, casing to be not less than 4 inches in diameter, provided a windmill or power pump is installed, and the water is piped to a tank or storage reservoir.

(c) *Water Spreading to Prevent Soil Washing.*—A payment will be made of 10 cents per 100 linear feet of permanent ditching constructed and maintained for the diversion of surface water to prevent soil washing, not including any temporary field ditching or any ditching primarily for purposes of irrigation, sub-surface drainage or under-drainage, or primarily for any purpose other than the prevention of soil washing. (See Farmers' Bulletin No. 1606, *Farm Drainage*, published by the U. S. Department of Agriculture.)

**SECTION 2. General Conditions for Payment.**—(a) No payment will be made for any range-building practice unless the county committee, upon the basis of the examination of the ranching unit by the range examiner, has determined that such practice will tend to effectuate the purposes of the act and has given written approval thereof.

(b) No total payment shall be made with respect to performances of range-building practices on any ranching unit which is in excess of the product of \$2.00 times the grazing capacity thereof.

(c) No payment shall be made with respect to any range-building practice which is initiated before September 9, 1936, and for any range-building practice which is not completed within the calendar year 1936.

(d) No payment shall be made unless the range-building practices performed are carried out in accordance with the generally accepted standards of good ranching practices, and by using the kinds and quantities of seeds and other materials normally employed for such practices.

(e) No payment shall be made with respect to performances for which the labor, seeds, or materials are furnished by any State or Federal agency.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has heretunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 23rd day of October 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3079—Filed, October 24, 1936; 11:18 a. m.]

WR—B—2—Montana—1, Revised Issued October 23, 1936  
Supplement (c)

## 1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 2—MONTANA—1, REVISED—SUPPLEMENT (C)

## Range-Building Practices

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 2—Montana—1, Revised, as amended by Supplements (a) and (b) is hereby further amended and said Supplement (b) is hereby revised and superseded, by this Supplement (c), as follows:

**SECTION 1. Range-Building Practices and Rates of Payment.**—In accordance with the provisions of Section 2, Part VII of Western Region Bulletin No. 1, Revised, payment will be made for the carrying out on range land in 1936 of range-building practices instituted subsequent to September 8, 1936, as follows:

(a) **Contouring.**—A payment of 80 cents for each acre furrowed on the contour, furrows to be not less than 8 inches in width and 4 inches in depth, dammed at intervals of not more than 100 feet and constructed on slopes in excess of 2%, with intervals between furrows not more than 25 feet.

(b) **Water Developments.**—(1) **Development of springs and seeps.**—A payment of \$50.00 will be made for digging out each spring or seep, protecting the source from trampling, and conveying the water, in a trough, or in a pipe not less than one-inch in diameter, to a tank.

(2) **Earthen pits or reservoirs for holding run-off and impounding precipitation.**—A payment of 15 cents per cubic yard of fill or excavation will be made for constructing earthen pits or reservoirs with spillways adequate to prevent dams from washing out.

(3) **Wells.**—A payment of \$1.00 per linear foot will be made for the drilling or digging of wells, casing to be not less than 4 inches in diameter; provided a windmill or power pump is installed, and the water is piped to a tank or storage reservoir.

(c) **Water Spreading to Prevent Soil Washing.**—A payment will be made of 10 cents per 100 linear feet of permanent ditching constructed and maintained for the diversion of surface water to prevent soil washing, not including any temporary field ditching or any ditching primarily for purposes of irrigation, subsurface drainage or under-drainage, or primarily for any purpose other than the prevention of soil washing. (See Farmers' Bulletin No. 1606, *Farm Drainage*, published by the U. S. Department of Agriculture.)

(d) **Range Fences.**—A payment of 30 cents per rod will be made for the construction of three or more wire fences, with posts not more than 20 feet apart, with corner posts well braced and with wires tightly stretched.

(e) **Reseeding.**—(1) A payment of \$2.50 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 5 pounds per acre, with crested wheat grass.

(2) A payment of \$1.25 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 7 pounds per acre, with slender wheat grass, western wheat grass, or brome grass (bromus inermis).

(f) **Fire Guards.**—A payment of 3 cents per 100 linear feet will be made for the establishment of fire guards, not less than four feet in width, by plowing furrows or otherwise exposing the mineral soil.

**SECTION 2. General Conditions for Payment.**—(a) No payment will be made for any range-building practice unless the county committee, upon the basis of the examination of the ranching unit by the range examiner, has determined that such practice will tend to effectuate the purposes of the act and has given written approval thereof.

(b) No total payment shall be made with respect to performances of range-building practices on any ranching unit which is in excess of the product of \$2.00 times the grazing capacity thereof.

(c) No payment shall be made with respect to any range-building practice which is initiated before September 9, 1936, and for any range-building practice which is not completed within the calendar year 1936.

(d) No payment shall be made unless the range-building practices performed are carried out in accordance with the generally accepted standards of good ranching practices, and by using the kinds and quantities of seeds and other materials, normally employed for such practices.

(e) No payment shall be made with respect to performances for which the labor, seeds, or materials are furnished by any State or Federal agency.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 23rd day of October 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3087—Filed, October 24, 1936; 11:21 a. m.]

WR—B—2—Nevada—1, Revised Issued October 23, 1936  
Supplement (b)

## 1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 2—NEVADA—1, REVISED—SUPPLEMENT (B)

## Range-Building Practices

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 2—Nevada—1, Revised, as amended by Supplement (a), is hereby further amended, and said Supplement (a) is hereby revised and superseded, by this Supplement (b), as follows:

**SECTION 1. Range-building Practices and Rates of Payment.**—In accordance with the provisions of section 2, part VII of Western Region Bulletin No. 1, Revised, payment will be made for the carrying out on range land in 1936 of range-building practices instituted subsequent to September 8, 1936, as follows:

(a) **Water-Developments.**—(1) **Development of springs and seeps.**—A payment of \$50.00 will be made for digging out each spring or seep, protecting the source from trampling, and conveying the water, in a trough, or in a pipe not less than one-inch in diameter, to a tank.

(2) **Earthen pits or reservoirs for holding run-off and impounding precipitation.**—A payment of 15 cents per cubic yard of fill or excavation will be made for constructing earthen pits or reservoirs with spillways adequate to prevent dams from washing out.

(b) **Water Spreading to Prevent Soil Washing.**—A payment will be made of 10 cents per 100 linear feet of permanent ditching constructed and maintained for the diversion of surface water to prevent soil washing, not including any temporary field ditching or any ditching primarily for purposes of irrigation, subsurface drainage or under-drainage, or primarily for any purpose other than the prevention of soil washing. (See Farmers' Bulletin No. 1606, *Farm Drainage*, published by the U. S. Department of Agriculture.)

(c) **Range Fences.**—A payment of 30 cents per rod will be made for the construction of three or more wire fences, with posts not more than 20 feet apart, with corner posts well braced and with wires tightly stretched.

(d) **Reseeding.**—(1) A payment of \$2.50 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 5 pounds per acre, with crested wheat grass.

(2) A payment of \$1.25 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 7 pounds per acre, with slender wheat grass, western wheat grass or brome grass (bromus inermis).

(e) **Fire Guards.**—A payment of 3 cents per 100 linear feet will be made for the establishment of fire guards, not less than four feet in width, by ploughing furrows or otherwise exposing the mineral soil.

(f) **Rattling Sagebrush.**—A payment of 50 cents per acre will be made for destroying sagebrush by use of railroad rails or by other mechanical methods that result in the destruction of at least 75% of the sagebrush cover.

**SECTION 2. General Conditions for Payment.**—(a) No payment will be made for any range-building practice unless the county committee, upon the basis of the examination of the ranching unit by the range examiner, has determined that such practice will tend to effectuate the purposes of the act and has given written approval thereof.

(b) No total payment shall be made with respect to performances of range-building practices on any ranching unit which is in excess of the product of \$2.00 times the grazing capacity thereof.

(c) No payment shall be made with respect to any range-building practice which is initiated before September 9, 1936, and for any range-building practice which is not completed within the calendar year 1936.

(d) No payment shall be made unless the range-building practices performed are carried out in accordance with the generally accepted standards of good ranching practices, and by using the kinds and quantities of seeds and other materials normally employed for such practices.

(e) No payment shall be made with respect to performances for which the labor, seeds, or materials are furnished by any State or Federal agency.

In testimony whereof, W. R. GREGG, Acting Secretary of Agriculture, has hereunto set his hand and caused the

official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 23rd day of October 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3080—Filed, October 24, 1936; 11:18 a. m.]

WR—B—2—New Mexico—1, Revised Issued October 23, 1936  
Supplement (b)

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 2—NEW MEXICO—1, REVISED—SUPPLEMENT (B)

*Range-building practices*

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 2—New Mexico—1, Revised, as amended by Supplement (a), is hereby further amended, and said Supplement (a) is hereby revised and superseded, by this Supplement (b), as follows:

**SECTION 1. Range-Building Practices and Rates of Payment.**—In accordance with the provisions of section 2, part VII of Western Region Bulletin No. 1, Revised, payment will be made for the carrying out on range land in 1936 of range-building practices instituted subsequent to September 8, 1936, as follows:

(a) *Contouring.*—A payment of 60 cents for each acre furrowed on the contour, furrows to be not less than 8 inches in width and 4 inches in depth, dammed at intervals of not more than 100 feet and constructed on slopes in excess of 2%, with intervals between furrows not more than 25 feet.

(b) *Water Developments.*—(1) *Development of springs and seeps.*—A payment of \$50.00 will be made for digging out each spring or seep, protecting the source from trampling, and conveying the water, in a trough, or in a pipe not less than one-inch in diameter, to a tank.

(2) *Earthen pits or reservoirs for holding run-off and impounding precipitation.*—A payment of 15 cents per cubic yard of fill or excavation will be made for constructing earthen pits or reservoirs with spillways adequate to prevent dams from washing out.

(3) *Wells.*—A payment of \$1.00 per linear foot will be made for the drilling or digging of wells, casing to be not less than 4 inches in diameter, provided a windmill or power pump is installed, and the water is piped to a tank or storage reservoir.

(c) *Water Spreading to Prevent Soil Washing.*—A payment will be made of 10 cents per 100 linear feet of permanent ditching constructed and maintained for the diversion of surface water to prevent soil washing, not including any temporary field ditching or any ditching primarily for purposes of irrigation, sub-surface drainage or under-drainage, or primarily for any purpose other than the prevention of soil washing. (See Farmers' Bulletin No. 1606, *Farm Drainage*, published by the U. S. Department of Agriculture.)

(d) *Range Fences.*—A payment of 30 cents per rod will be made for the construction of three or more wire fences, with posts not more than 20 feet apart, with corner posts well braced and with wires tightly stretched.

(e) *Rodent Control.*—A payment for the destruction of at least ninety percent of the range-destroying rodents on an infested area will be made as follows: 7½¢ per acre of area infested with prairie dogs, and 5¢ per acre of area infested with kangaroo rats.

(f) *Fire Guards.*—A payment of 3 cents per 100 linear feet will be made for the establishment of fire guards, not less than four feet in width, by ploughing furrows or otherwise exposing the mineral soil.

**SECTION 2. General Conditions for Payment.**—(a) No payment will be made for any range-building practice unless the county committee, upon the basis of the examination of the ranching unit by the range examiner, has determined that such practice will tend to effectuate the purposes of the act and has given written approval thereof.

(b) No total payment shall be made with respect to performances of range-building practices on any ranching unit which is in excess of the product of \$2.00 times the grazing capacity thereof.

(c) No payment shall be made with respect to any range-building practice which is initiated before September 9, 1936, and for any range-building practice which is not completed within the calendar year 1936.

(d) No payment shall be made unless the range-building practices performed are carried out in accordance with the generally accepted standards of good ranching practices, and by using the kinds and quantities of seeds and other materials normally employed for such practices.

(e) No payment shall be made with respect to performances for which the labor, seeds, or materials are furnished by any State or Federal agency.

In testimony whereof W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official

seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 23rd day of October 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3031—Filed, October 24, 1936; 11:19 a. m.]

WR—B—2—North Dakota—1, Revised Issued October 23, 1936  
Supplement (c)

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 2—NORTH DAKOTA—1, REVISED—SUPPLEMENT (C)

*Range-Building Practices*

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 2—North Dakota—1, Revised, as amended by Supplement (b), is hereby further amended and said Supplement (b) is hereby revised and superseded, by this Supplement (c), as follows:

**SECTION 1. Range-Building Practices and Rates of Payment.**—In accordance with the provisions of section 2, part VII of Western Region Bulletin No. 1, Revised, payment will be made for the carrying out on range land in 1936 of range-building practices instituted subsequent to September 8, 1936, in the counties of Adams, Benson, Billings, Bottineau, Bowman, Burke, Burleigh, Dickey, Divide, Dunn, Emmens, Golden Valley, Grant, Hettinger, Kidder, Logan, Mercer, Mountrail, Morton, McHenry, McIntosh, McKenzie, McLean, Oliver, Pierce, Renville, Rolette, Sheridan, Sioux, Slope, Stark, Stutsman, Ward, Wells, and Williams, as follows:

(a) *Contouring.*—A payment of 60 cents for each acre furrowed on the contour, furrows to be not less than 8 inches in width and 4 inches in depth, dammed at intervals of not more than 100 feet and constructed on slopes in excess of 2%, with intervals between furrows not more than 25 feet.

(b) *Water Developments.*—(1) *Development of springs and seeps.*—A payment of \$50.00 will be made for digging out each spring or seep, protecting the source from trampling, and conveying the water, in a trough, or in a pipe not less than one inch in diameter, to a tank or storage reservoir.

(2) *Earthen pits or reservoirs for holding run-off and impounding precipitation.*—A payment of 15 cents per cubic yard of fill or excavation will be made for constructing earthen pits or reservoirs with spillways adequate to prevent dams from washing out.

(3) *Wells.*—A payment of \$1.00 per linear foot will be made for the drilling or digging of wells, casing to be not less than 4 inches in diameter, provided a windmill or power pump is installed and the water is piped to a tank or storage reservoir.

(c) *Water Spreading to Prevent Soil Washing.*—A payment will be made of 10 cents per 100 linear feet of permanent ditching constructed and maintained for the diversion of surface water to prevent soil washing, not including any temporary field ditching or any ditching primarily for purposes of irrigation, sub-surface drainage or under-drainage, or primarily for any purpose other than the prevention of soil washing. (See Farmers' Bulletin No. 1606, *Farm Drainage*, published by the U. S. Department of Agriculture.)

(d) *Range Fences.*—A payment of 30 cents per rod will be made for the construction of three or more wire fences, with posts not more than 20 feet apart, with corner posts well braced and with wires tightly stretched.

(e) *Rodent Control.*—(1) A payment of \$2.50 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 5 pounds per acre, with crested wheat grass.

(2) A payment of \$1.25 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 7 pounds per acre, with slender wheat grass, western wheat grass, or bromus grass (*bromus inermis*).

**SECTION 2. General Conditions for Payment.**—(a) No payment will be made for any range-building practice unless the county committee, upon the basis of the examination of the ranching unit by the range examiner, has determined that such practice will tend to effectuate the purposes of the act and has given written approval thereof.

(b) No total payment shall be made with respect to performances of range-building practices on any ranching unit which is in excess of the product of \$2.00 times the grazing capacity thereof.

(c) No payment shall be made with respect to any range-building practice which is initiated before September 9, 1936, and for any range-building practice which is not completed within the calendar year 1936.

(d) No payment shall be made unless the range-building practices performed are carried out in accordance with the generally accepted standards of good ranching practices, and by using the kinds and quantities of seeds and other materials normally employed for such practices.

(e) No payment shall be made with respect to performances for which the labor, seeds, or materials are furnished by any State or Federal Agency.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 23rd day of October 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3088—Filed, October 24, 1936; 11:21 a. m.]

WR-B-2—Oregon-I, Revised Issued October 23, 1936  
Supplement (b)

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 2—OREGON-1, REVISED—SUPPLEMENT (B)

*Range-building Practices*

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 2—Oregon-1, Revised, as amended by Supplement (a), is hereby further amended, and said Supplement (a) is hereby revised and superseded, by this Supplement (b), as follows:

**SECTION 1. Range-Building Practices and Rates of Payment.**—In accordance with the provisions of section 2, part VII of Western Region Bulletin No. 1, Revised, payment will be made for the carrying out on range land in 1936 of range-building practices instituted subsequent to September 8, 1936, as follows:

(a) *Contouring.*—A payment of 60 cents for each acre furrowed on the contour, furrows to be not less than 8 inches in width and 4 inches in depth, dammed at intervals of not more than 100 feet and constructed on slopes in excess of 2%, with intervals between furrows not more than 25 feet.

(b) *Water Developments—(1) Development of springs and seeps.*—A payment of \$50.00 will be made for digging out each spring or seep, protecting the source from trampling, and conveying the water, in a trough, or in a pipe not less than one inch in diameter, to a tank.

(2) *Earthen pits or reservoirs for holding run-off and impounding precipitation.*—A payment of 15 cents per cubic yard of fill or excavation will be made for constructing earthen pits or reservoirs with spillways adequate to prevent dams from washing out.

(3) *Wells.*—A payment of \$1.00 per linear foot will be made for the drilling or digging of wells, casing to be not less than 4 inches in diameter, provided a windmill or power pump is installed, and the water is piped to a tank or storage reservoir.

(c) *Water Spreading to Prevent Soil Washing.*—A payment will be made of 10 cents per 100 linear feet of permanent ditching constructed and maintained for the diversion of surface water to prevent soil washing, not including any temporary field ditching or any ditching primarily for purposes of irrigation, sub-surface drainage, or under-drainage, or primarily for any purpose other than the prevention of soil washing. (See Farmers' Bulletin No. 1606, *Farm Drainage*, published by the U. S. Department of Agriculture.)

(d) *Range Fences.*—A payment of 30 cents per rod will be made for the construction of three or more wire fences, with posts not more than 20 feet apart, with corner posts well braced, and with wires tightly stretched.

(e) *Rodent Control.*—A payment for the destruction of at least ninety percent of the range-destroying rodents on an infested area will be made as follows: 15¢ per acre of area infested with pocket gophers.

(f) *Reseeding.*—(1) A payment of \$2.50 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 5 pounds per acre, with crested wheat grass.

(2) A payment of \$1.25 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 7 pounds per acre, with slender wheat grass, western wheat grass, or bromine grass (*bromus inermis*).

(g) *Fire Guards.*—A payment of 3 cents per 100 linear feet will be made for the establishment of fire guards, not less than four feet in width, by ploughing furrows or otherwise exposing the mineral soil.

**SECTION 2. General Conditions for Payment.**—(a) No payment will be made for any range-building practice unless the county committee, upon the basis of the examination of the ranching unit by the range examiner, has determined that such practice will tend to effectuate the purposes of the act and has given written approval thereof.

(b) No total payment shall be made with respect to performances of range-building practices on any ranching unit which is in excess of the product of \$2.00 times the grazing capacity thereof.

(c) No payment shall be made with respect to any range-building practice which is initiated before September 9, 1936, and for any range-building practice which is not completed within the calendar year 1936.

(d) No payment shall be made unless the range-building practices performed are carried out in accordance with the generally

accepted standards of good ranching practices, and by using the kinds and quantities of seeds and other materials normally employed for such practices.

(e) No payment shall be made with respect to performances for which the labor, seeds, or materials are furnished by any State or Federal agency.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 23rd day of October 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3082—Filed, October 24, 1936; 11:19 a. m.]

WR-B-2—Utah-1, Revised  
Supplement (b)

Issued October 23, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 2—UTAH-1, REVISED—SUPPLEMENT (B)

*Range-Building Practices*

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 2—Utah-1, Revised, as amended by Supplement (a), is hereby further amended, and said Supplement (a) is hereby revised and superseded, by this Supplement (b), as follows:

**SECTION 1. Range-Building Practices and Rates of Payment.**—In accordance with the provisions of Section 2, part VII of Western Region Bulletin No. 1, Revised, payment will be made for the carrying out on range land in 1936 of range-building practices instituted subsequent to September 8, 1936, as follows:

(a) *Contouring.*—A payment of 60 cents for each acre furrowed on the contour, furrows to be not less than 8 inches in width and 4 inches in depth, dammed at intervals of not more than 100 feet and constructed on slopes in excess of 2%, with intervals between furrows not more than 25 feet.

(b) *Water Developments—(1) Development of springs and seeps.*—A payment of \$50.00 will be made for digging out each spring or seep, protecting the source from trampling, and conveying the water, in a trough, or in a pipe not less than one inch in diameter, to a tank.

(2) *Earthen pits or reservoirs for holding run-off and impounding precipitation.*—A payment of 15 cents per cubic yard of fill or excavation will be made for constructing earthen pits or reservoirs with spillways adequate to prevent dams from washing out.

(3) *Wells.*—A payment of \$1.00 per linear foot will be made for the drilling or digging of wells, casing to be not less than 4 inches in diameter, provided a windmill or power pump is installed, and the water is piped to a tank or storage reservoir.

(c) *Water Spreading to Prevent Soil Washing.*—A payment will be made of 10 cents per 100 linear feet of permanent ditching constructed and maintained for the diversion of surface water to prevent soil washing, not including any temporary field ditching or any ditching primarily for purposes of irrigation, subsurface drainage or under-drainage, or primarily for any purpose other than the prevention of soil washing. (See Farmers' Bulletin No. 1606, *Farm Drainage*, published by the U. S. Department of Agriculture.)

(d) *Range Fences.*—A payment of 30 cents per rod will be made for the construction of three or more wire fences, with posts not more than 20 feet apart, with corner posts well braced and with wires tightly stretched.

(e) *Reseeding.*—(1) A payment of \$2.50 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 5 pounds per acre, with crested wheat grass.

(2) A payment of \$1.25 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 7 pounds per acre, with slender wheat grass, western wheat grass, or bromine grass (*bromus inermis*).

(f) *Railing Sagebrush.*—A payment of 50 cents per acre will be made for destroying sagebrush by use of railroad rails or by other mechanical methods that result in the destruction of at least 75% of the sagebrush cover.

(g) *Fire Guards.*—A payment of 3 cents per 100 linear feet will be made for the establishment of fire guards, not less than four feet in width, by ploughing furrows or otherwise exposing the mineral soil.

**Sec. 2. General Conditions for Payment.**—(a) No payment will be made for any range-building practice unless the county committee, upon the basis of the examination of the ranching unit by the range examiner, has determined that such practice will tend to effectuate the purposes of the act and has given written approval thereof.

(b) No total payment shall be made with respect to performances of range-building practices on any ranching unit which is in excess of the product of \$2.00 times the grazing capacity thereof.

(c) No payment shall be made with respect to any range-building practice which is initiated before September 9, 1936, and for any range-building practice which is not completed within the calendar year 1936.

(d) No payment shall be made unless the range-building practices performed are carried out in accordance with the generally accepted standards of good ranching practices, and by using the kinds and quantities of seeds and other materials normally employed for such practices.

(e) No payment shall be made with respect to performances for which the labor, seeds, or materials are furnished by any State or Federal agency.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 23rd day of October 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3083—Filed, October 24, 1936; 11:19 a. m.]

WR—B-2—Washington-1, Revised Issued October 23, 1936  
Supplement (b)

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 2—WASHINGTON-1, REVISED—SUPPLEMENT (B)

*Range-Building Practices*

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 2—Washington-1, Revised, as amended by Supplement (a), is hereby further amended, and said Supplement (a) is hereby revised and superseded, by this Supplement (b), as follows:

**SECTION 1. Range-Building Practices and Rates of Payment.**—In accordance with the provisions of section 2, part VII of Western Region Bulletin No. 1, Revised, payment will be made for the carrying out on range land in 1936 of range-building practices instituted subsequent to September 8, 1936, as follows:

(a) *Contouring.*—A payment of 60 cents for each acre furrowed on the contour, furrows to be not less than 8 inches in width and 4 inches in depth, dammed at intervals of not more than 100 feet and constructed on slopes in excess of 2%, with intervals between furrows not more than 25 feet.

(b) *Water Development.*—(1) *Development of springs and seeps.*—A payment of \$50.00 will be made for digging out each spring or seep, protecting the source from trampling, and conveying the water, in a trough, or in a pipe not less than one inch in diameter, to a tank.

(2) *Earthen pits or reservoirs for holding run-off and impounding precipitation.*—A payment of 15 cents per cubic yard of fill or excavation will be made for constructing earthen pits or reservoirs with spillways adequate to prevent dams from washing out.

(3) *Wells.*—A payment of \$1.00 per linear foot will be made for the drilling or digging of wells, casing to be not less than 4 inches in diameter; provided a windmill or power pump is installed and the water is piped to a tank or storage reservoir.

(c) *Water Spreading to Prevent Soil Washing.*—A payment will be made of 10 cents per 100 linear feet of permanent ditching constructed and maintained for the diversion of surface water to prevent soil washing, not including any temporary field ditching or any ditching primarily for purposes of irrigation, sub-surface drainage or under-drainage, or primarily for any purpose other than the prevention of soil washing. (See Farmers' Bulletin No. 1606, *Farm Drainage*, published by the U. S. Department of Agriculture.)

(d) *Range Fences.*—A payment of 30 cents per rod will be made for the construction of three or more wire fences, with posts not more than 20 feet apart, with corner posts well braced and with wires tightly stretched.

(e) *Reseeding.*—(1) A payment of \$2.50 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 5 pounds per acre, with crested wheat grass. (2) A payment of \$1.25 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 7 pounds per acre, with slender wheat grass, western wheat grass, or brome grass (*bromus inermis*).

(f) *Fire Guards.*—A payment of 3 cents per 100 linear feet will be made for the establishment of fire guards, not less than four feet in width, by ploughing furrows or otherwise exposing the mineral soil.

**SECTION 2. General Conditions for Payment.**—(a) No payment will be made for any range-building practice unless the county committee, upon the basis of the examination of the ranching unit by the range examiner, has determined that such practice will tend to effectuate the purposes of the act and has given written approval thereof.

(b) No total payment shall be made with respect to performances of range-building practices on any ranching unit

which is in excess of the product of 2.00 times the grazing capacity thereof.

(c) No payment shall be made with respect to any range-building practice which is initiated before September 9, 1936, and for any range-building practice which is not completed within the calendar year 1936.

(d) No payment shall be made unless the range-building practices performed are carried out in accordance with the generally accepted standards of good ranching practices, and by using the kinds and quantities of seeds and other materials normally employed for such practices.

(e) No payment shall be made with respect to performances for which the labor, seeds, or materials are furnished by any State or Federal agency.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 23rd day of October, 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3034—Filed, October 24, 1936; 11:20 a. m.]

WR—B-2—Wyoming-1, Revised Issued October 23, 1936  
Supplement (b)

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 2—WYOMING-1, REVISED—SUPPLEMENT (B)

*Range-Building Practices*

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 2—Wyoming-1, Revised, as amended by Supplement (a), is hereby further amended, and said Supplement (a) is hereby revised and superseded, by this Supplement (b), as follows:

**SECTION 1. Range-Building Practices and Rates of Payment.**—In accordance with the provisions of section 2, part VII of Western Region Bulletin No. 1, Revised, payment will be made for the carrying out on range land in 1936 of range-building practices instituted subsequent to September 8, 1936, as follows:

(a) *Contouring.*—A payment of 60 cents for each acre furrowed on the contour, furrows to be not less than 8 inches in width and 4 inches in depth, dammed at intervals of not more than 100 feet and constructed on slopes in excess of 2%, with intervals between furrows not more than 25 feet.

(b) *Water Developments.*—(1) *Development of springs and seeps.*—A payment of \$50.00 will be made for digging out each spring or seep, protecting the source from trampling, and piping the water, in a trough, or in a pipe not less than one inch in diameter, to a tank.

(2) *Earthen pits or reservoirs for holding run-off and impounding precipitation.*—A payment of 15 cents per cubic yard of fill or excavation will be made for constructing earthen pits or reservoirs with spillways adequate to prevent dams from washing out.

(3) *Wells.*—A payment of \$1.00 per linear foot will be made for the drilling or digging of wells, casing to be not less than 4 inches in diameter, provided a windmill or power pump is installed, and the water is piped to a tank or storage reservoir.

(c) *Water Spreading to Prevent Soil Washing.*—A payment will be made of 10 cents per 100 linear feet of permanent ditching constructed and maintained for the diversion of surface water to prevent soil washing, not including any temporary field ditching or any ditching primarily for purposes of irrigation, sub-surface drainage or under-drainage, or primarily for any purpose other than the prevention of soil washing. (See Farmers' Bulletin No. 1606, *Farm Drainage*, published by the U. S. Department of Agriculture.)

(d) *Reseeding.*—(1) A payment of \$2.50 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 5 pounds per acre, with crested wheat grass.

(2) A payment of \$1.25 per acre will be made for reseeding depleted range land before December 15, 1936, at a rate not less than 7 pounds per acre, with slender wheat grass, western wheat grass, or brome grass (*bromus inermis*).

(e) *Range Fences.*—A payment of 30 cents per rod will be made for the construction of three or more wire fences, with posts not more than 20 feet apart, with corner posts well braced, and with wires tightly stretched.

**SECTION 2. General Conditions for Payment.**—(a) No payment will be made for any range-building practice unless the county committee, upon the basis of the examination of the ranching unit by the range examiner, has determined that such practice will tend to effectuate the purposes of the act and has given written approval thereof.

(b) No total payment shall be made with respect to performances of range-building practices on any ranching unit which is in excess of the product of 2.00 times the grazing capacity thereof.

(c) No payment shall be made with respect to any range-building practice which is initiated before September 9, 1936, and for any range-building practice which is not completed within the calendar year 1936.

(d) No payment shall be made unless the range-building practices performed are carried out in accordance with the generally accepted standards of good ranching practices, and by using the kinds and quantities of seeds and other materials normally employed for such practices.

(e) No payment shall be made with respect to performances for which labor, seeds, or materials are furnished by any State or Federal agency.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 23rd day of October 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3085—Filed, October 24, 1936; 11:20 a. m.]

WR—B—3—Supplement (f) Issued October 23, 1936  
1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN  
REGION

BULLETIN NO. 3, SUPPLEMENT (F)

*Instructions With Respect to the Establishment of Grazing Capacity and the Filling Out of Range Listing Sheets*

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, the instructions contained herein are issued to supplement the provisions of part VII of Western Region Bulletin No. 1, Revised, and the provisions of Western Region Bulletin No. 2 (as supplemented with respect to range land for each State in the Western Region), in connection with the effectuation of the purposes of section 7 (a) of said act for 1936. Supplement (d), Western Region Bulletin No. 3, is hereby revised and superseded by this Supplement (f).

PART I. GENERAL

Most of the definitions included in Section 1 of part VII are self-explanatory. However, particular attention should be called to the definitions of operator, range land, and grazing capacity.

Operator means a person, that is, any individual, partnership, corporation, or government agency, as may be designated by the Secretary, who, as owner, cash tenant, or share tenant, operates the ranching unit for the duration of the program. The definition also includes any person who, in the operation of the ranching unit, acts in a capacity similar to that of owner, cash tenant, or share tenant, for the duration of the program. The latter portion of the definition was included to cover persons who, although actually operating the ranching unit, are not technically owners, cash tenants, or share tenants, but who have some other similar legal interest in or control of the land in the ranching unit.

The definition of range land is quite technical. The provisions of the Soil Conservation and Domestic Allotment Act do not permit the carrying out of a range program on land owned or controlled by the United States Government or any agency thereof. The program is therefore restricted to land in which the operator has such a legal estate or interest as to give him absolute control thereof during the period of the program. Range land includes land leased for at least the period of the program from any State, county, or municipal government, and it also includes land which is privately owned. The main characteristic of range land which is incorporated in the definition is that it produces forage without cultivation or general irrigation, ten acres or more of which are required to graze one animal unit.

Grazing capacity is defined in rather general terms, but the establishment thereof is specifically provided for in Section 3 of Western Region Bulletin No. 1, Revised, Supplement (g). These provisions are supplemented by detailed instructions to range examiners upon the basis of whose

reports the county committees shall make their recommendations. Grazing capacity is expressed in terms of animal units and represents the average grazing capacity of the range land in ranching unit.

PART II. RANGE BUILDING PAYMENTS

Range-building payments will be made for the carrying out of range-building practices approved for each State at the rates established for such practices, provided that such practices are carried out in accordance with specifications. *Payment will not be made unless such practices were initiated on or after September 9, 1936, are approved in writing by the County Committee, and are completed within the calendar year of 1936.* The county committee, pursuant to the provisions of Section VII of Western Region Bulletin No. 1, Revised, shall not approve any range-building practice which an operator has carried out or is carrying out pursuant to any other provision of the Agricultural Conservation Program. *The total of all payments with respect to performances of range-building practices on a ranching unit shall not exceed an amount equal to \$2 times the grazing capacity thereof.* Other conditions of payment are to be found in the applicable Part VII of Bulletin No. 1, Revised, and the supplements to Bulletin No. 2, Revised, applicable for each State.

PART III. ASSIGNMENTS OF GRAZING CAPACITY AND APPROVAL OF PRACTICES BY THE COUNTY COMMITTEE

An operator of a ranching unit wishing to participate in the range program should forward to the county committee of the county in which the ranching unit (or the major portion thereof) is located a request (Form WR-15) that an examination be made of his ranching unit and that the grazing capacity thereof be established. Upon receipt of each such request the county committee shall direct the range examiner to make an examination of such ranching unit and to submit in duplicate a report on examination of range land (Form WR-16).

The examination of the ranching unit by the range examiner shall be in accordance with the principles defined in Instructions for Grazing Surveys on National Forests, approved January 9, 1935. The report on examination of range land shall, among other things, show the location of the ranching unit; the estimated grazing capacity; the distribution and palatability of the principal forage species; the location of existing watering facilities and fences; the location of recommended watering facilities and fences; the extent and degree of infestation of range-destroying rodents, of poisonous plants, and of noxious weeds; the type and degree of erosion and the location and extent of erosion control practices; the area of land to be reseeded; the distribution of livestock by seasonal units; the practices desirable to effectuate revegetation; and any other essential information relating to the range land on such ranching unit.

The report on the examination of range land shall be prepared in cooperation with the operator of the ranching unit. After the report has been completed, it shall be reviewed by the operator who shall indicate over his signature which practices he wishes the county committee to approve for payment. The names of the practices appearing in Bulletin No. 2, Revised, shall be used in making this request. The operator in his certificate shall also state the extent of the practice for which he requests approval and the location thereof on the ranching unit (which location may be indicated by reference to the attached map).

Based upon the information contained in the report on examination of range land, the county committee in the appropriate spaces therein shall recommend, for approval by the Secretary, a grazing capacity for the ranching unit and shall enter such of the practices, approval of which has been requested by the operator of the ranching unit, as it determines will tend to effectuate the purposes of the act. Such practices shall be entered in the appropriate spaces if initiated on or after September 9, 1936, regardless of whether the approval of the county committee was obtained prior to their institution. In determining whether the practices, the approval of which has been requested, will tend to effect-

tuates the purposes of the Soil Conservation and Domestic Allotment Act, the county committee shall give consideration to the effect of the practices in checking depletion of and in rebuilding the vegetative cover of range land, in preventing erosion, and in controlling stream flow. In approving any practice the county committee shall use the terminology of Bulletin No. 2, Revised, and shall indicate the location (which may be indicated by reference to the attached map) and the extent of the practice which it approves. After the county committee has executed its certificate, it shall send one copy of the completed Form WR-16 to the operator.

Within 15 days after the date of the mailing of a completed copy of Form WR-16 to the operator, the latter may appeal in writing to the county committee for reconsideration of its recommendations with respect to grazing capacity and approved range building practices, stating in full the reasons for such appeal; if no revision is approved by the county committee, or if the revision approved by the committee is unsatisfactory to the operator, an appeal may be made to the state committee in accordance with the provisions of Supplement (c), Western Region Bulletin No. 3.

#### PART IV. RANGE LISTING SHEETS

After assignments of grazing capacity have been determined, Listing Sheet, Assignments of Grazing Capacity, (Form WR-17) should be prepared in quadruplicate, the original and two copies being forwarded, after approval by the county committee, to the State Committee.

The ranching unit serial number will be the number assigned to each ranching unit, beginning with number one in each county and continuing thereafter in numerical sequence. The number so assigned will continue to identify the ranching unit during the period of the program and will be the number to be inserted on all forms where a serial number for the ranching unit is required. Should an assignment be terminated, even though such termination is for the purpose of substituting a revised assignment, the number given for such assignment will not be used again. If an assignment is made after the original designation of numbers, such assignment will be numbered so as to maintain a numerical sequence for the county. In the column headed, Name(s) of Operator(s), list the names of all operators of that ranching unit. If the ranching unit has a name, so indicate in the third column. In the last column, enter the grazing capacity recommended for the ranching unit by the county committee.

In testimony whereof W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 23d day of October 1936.

[SEAL]

W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3089—Filed, October 24, 1936; 11:21 a. m.]

#### Bureau of Biological Survey.

##### ORDER

#### PERMITTING AND REGULATING HUNTING OF CERTAIN GAME BIRDS WITHIN THE TULE LAKE WILDLIFE REFUGE, CALIFORNIA<sup>1</sup>

By virtue of authority conferred upon the Secretary of Agriculture by section 84 of the Act of March 4, 1909 (35 Stat. 1088) as amended by the Act of April 15, 1924 (43 Stat. 98) and by section 10 of the Act of February 18, 1929 (45 Stat. 1222), and in extension of regulation 8 of the general regulations of the Secretary of Agriculture of May 7, 1930, governing the administration of Federal wildlife refuges, made and prescribed pursuant to said authority, it is ordered, that migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act Regulations), coots, and Chinese pheasants, may be taken within the area of Tule Lake Wildlife Refuge, California, herein-

after described, and hereby designated "shooting area"<sup>2</sup> when, in manner, by means and to the extent not prohibited either by Federal or State law or regulation, and under the following special provisions, conditions, restrictions, and requirements:

1. *Shooting Area*.—That area within the Tule Lake Wildlife Refuge described as follows:

##### Mr. DIABLO MERIDIAN

Beginning at the north one-sixteenth corner of secs. 4 and 5, T. 47 N., R. 4 E.;

Thence from said initial point with subdivisional lines in sec. 4:

Southerly on northerly boundary of lots 6, 9, and 12;

Thence with subdivisional lines in sec. 3;

Southeasterly on northerly boundary of lots 14 and 15;

Northerly on west boundary of lots 11 and 6;

Easterly on north boundary of lot 6;

Southerly on east boundary of lots 6 and 11 to the northwest corner of lot 16;

Southeasterly on northerly boundary of lots 16 and 18;

Thence with subdivisional line in sec. 2;

Southeasterly on northerly boundary of lot 7;

Thence with subdivisional line in sec. 11;

Southeasterly on northerly boundary of lot 4 to the northeast corner thereof;

Thence southerly with the north and south center lines of secs. 11, 14, 23, 29, and 35, T. 47 N., R. 4 E.; and sec. 2, T. 46 N., R. 4 E., crossing the Tule Lake dike bearing east and west through the center of sec. 2, to a point 200 feet south of the outer toe thereof;

Thence with a line parallel to and outside the Tule Lake dike, 200 feet distant from the outer toe thereof;

Westerly in sec. 2 to a point near the one-quarter corner of secs. 2 and 3;

Northerly in the east edge of sec. 3 to the north boundary of T. 46 N., R. 4 E.;

Thence continuing along said dike in T. 47 N., R. 4 E.;

Northerly in the east edge of sec. 34 to a point near the one-quarter corner thereof;

Northwesterly through sec. 34 to a point approximately 600 feet north of the one-quarter corner of secs. 33 and 34;

Westerly through secs. 33 and 32 to a point approximately 500 feet north of the center one-quarter corner of sec. 32;

Northerly through secs. 32, 29, 23, and 17 to a point near the one-quarter corner of secs. 8 and 17;

Easterly in the south edge of sec. 8 to a point near the corner common to secs. 8, 9, 16, and 17;

Northerly in the east edge of secs. 8 and 5 to a point on the south boundary of lot 1, sec. 5;

Thence easterly to place of beginning.

2. *Entry Upon Refuge—Firearms*.—No person may enter the refuge for the purpose of hunting in accordance with this Order except under permit from the officer in charge thereof, and the having or carrying of firearms on the refuge without permit from the officer in charge, except on highways, thoroughfares, and shooting area, or routes of travel to and from such area designated by such officer, or when appropriate to the object for which any special permit may have been issued, will not be permitted. Persons entering or crossing the refuge for the purpose of hunting, as permitted by this Order, shall use such established routes of travel and shall not otherwise enter upon the refuge. The carrying or being in possession of rifled firearms or the use of single ball or slug load shotgun shells on the refuge is prohibited.

3. *Registration of Hunters*.—Each person to whom has been issued a permit to hunt on the refuge shall register his name and address at an established checking station with the officer in charge, or his deputy, and shall produce for inspection his State hunting license, and if hunting migratory waterfowl, a properly validated Federal Migratory Bird Hunting Stamp. Before leaving the refuge, each such person shall report to the officer in charge, or his deputy, at the checking station through which he entered, the species and number of each species of migratory waterfowl and the number of coots and Chinese pheasants taken by him each day during the time spent on such shooting area, and whenever requested by any such officer shall exhibit all such birds in his possession for inspection. Failure to comply with this regulation will be sufficient cause for refusal of future permits to hunt on the refuge.

<sup>1</sup> See p. 1700.

<sup>2</sup> See diagram on p. 1672.

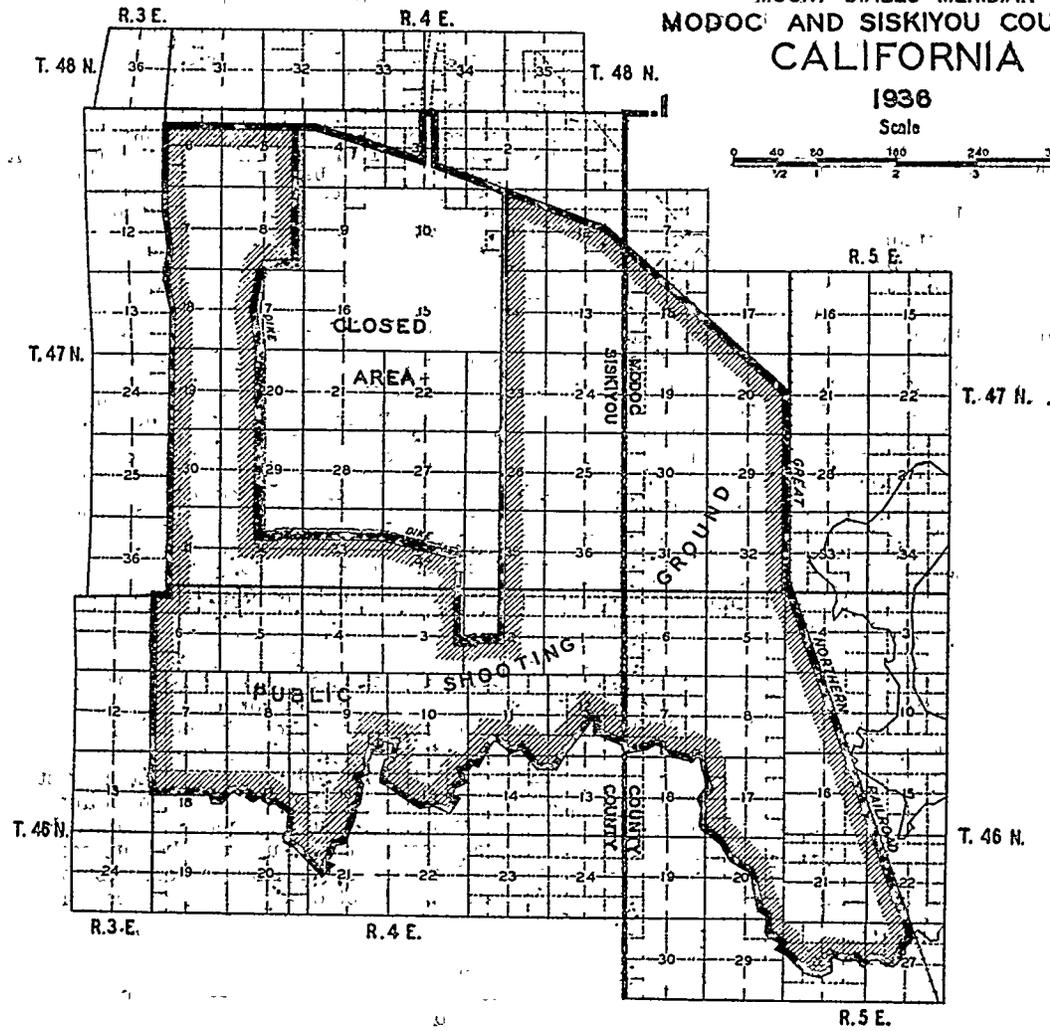
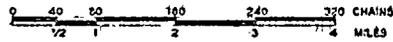
UNITED STATES DEPARTMENT OF AGRICULTURE  
BUREAU OF BIOLOGICAL SURVEY  
IRA N. GABRIELSON, CHIEF

# TULE LAKE WILDLIFE REFUGE

MOUNT DIABLO MERIDIAN  
MODOC AND SISKIYOU COUNTIES  
CALIFORNIA

1936

Scale



COMPILED AT WASHINGTON, D.C., OCTOBER, 1936, IN THE  
DIVISION OF LAND ACQUISITION, RUDOLPH DEFFENBACH  
CHIEF, UNDER DIRECTION OF A. A. RIEMER, CHIEF, SECTION  
OF SURVEY & MAPS, FROM SURVEYS & MAPS BY UNITED  
STATES GENERAL LAND OFFICE, RECLAMATION SERVICE &  
U. S. BIOLOGICAL SURVEY.

4. *Disorderly Conduct, Intoxication.*—No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any such person, who for that cause or otherwise renders himself obnoxious by disorderly conduct or bad behavior, shall be deemed to be guilty of trespass and shall be subject to arrest and prosecution therefor as provided by law, and/or may be summarily removed from the refuge by the officer in charge, or his deputy.

5. *Hunting Dogs, Horses.*—Each person hunting on the public shooting ground will be permitted to take his hunting dogs, not to exceed two in number; upon such area for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting ground or elsewhere on the refuge. Hunting from horseback will not be permitted and no mounted hunter will be allowed to enter the public shooting ground.

6. *Defacement or Destruction of Public Property.*—The destruction, injury, defacement, removal, or disturbance in any manner of any public building, notice, sign, signboard, equipment, fence, dike, dike embankment, dam, bridge, or other structure, or any tree, flower, vegetation, or any animal or bird other than migratory waterfowl, coots, and Chinese pheasants permitted to be killed hereunder, or other wildlife, or of any other public property of any kind or nature is prohibited, and any offender of the acts herein forbidden will suffer the penalties provided by law.

The Order of the Secretary of Agriculture of February 27, 1934, on this subject is hereby revoked.

In testimony whereof I have hereunto set my hand and caused the official seal of the United States Department of Agriculture to be affixed at the City of Washington this 26th day of October 1936.

[SEAL] W. R. GREGG,  
Acting Secretary of Agriculture.

[F. R. Doc. 3092—Filed, October 26, 1936; 12:04 p. m.]

DEPARTMENT OF LABOR

Immigration and Naturalization Service.

[General Order No. 239]

AMENDMENT OF RULE 3 OF THE IMMIGRATION RULES OF JANUARY 1, 1930, AS AMENDED. DOCUMENTS REQUIRED OF ALIENS ENTERING THE UNITED STATES

OCTOBER 23, 1936.

Pursuant to the authority conferred by Section 24 of the Immigration Act of 1924 (Act of May 26, 1924; 43 Stat. 166; U. S. C., Title 8, Section 222), and Executive Orders 6166 and 6986, dated June 10, 1933, and March 9, 1935, respectively, Paragraph 1, Subdivision F, Rule 3, as amended by General Order No. 232, dated June 19, 1936, is amended by adding thereto subparagraph (j) reading as follows:

An alien who establishes that he has previously been lawfully admitted into the Territory of Hawaii for permanent residence and is returning from a temporary visit of not more than six months to Guam or Wake Island, not having proceeded to any place outside of those insular possessions, shall be permitted to reenter the Territory of Hawaii without a passport, immigration visa, or permit to reenter.

[SEAL] D. W. MACCORMACK,  
Commissioner of Immigration and Naturalization.

Approved:  
FRANCES PERKINS,  
Secretary.

[F. R. Doc. 3073—Filed, October 24, 1936; 10:12 a. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of October A. D. 1936.

Vol. I—pt. 2—37—27

[No. MC 20033]

APPLICATION OF H. B. MANNERS FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of H. B. Manners, Individual Doing Business as Manners Motor Express, of 406 McGavock Street, Nashville, Tenn., for a Certificate of Public Convenience and Necessity (Form BMC 1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, in the States of Tennessee, Kentucky, Indiana, and Illinois, between Nashville, Tenn., and Chicago, Ill.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner J. L. Bradford for hearing on the 9th day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the Tennessee Railroad and Public Utilities Commission, Nashville, Tenn., and for recommendation of an appropriate order thereon accompanied by the reasons therefor;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 3033—Filed, October 23, 1936; 12:12 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of October A. D. 1936.

[No. MC 20039]

APPLICATION OF H. B. MANNERS FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of H. B. Manners, Individual Doing Business as Manners Motor Express, of 406 McGavock Street, Nashville, Tenn., for a Permit (Form BMC 1), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, from and between Points Located in the States of Alabama, Arkansas, Georgia, Illinois, Indiana, Kentucky, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, and Virginia, Over Irregular Routes and Over the Following Regular Routes

Route No. 1.—Between Nashville, Tenn., and Wilmington, N. C.

Route No. 2.—Between Nashville, Tenn., and Little Rock, Ark.

Route No. 3.—Between Nashville, Tenn., and Mobile, Ala.

Route No. 4.—Between Nashville, Tenn., and St. Louis, Mo.

Route No. 5.—Between Nashville, Tenn., and Indianapolis, Ind.

Route No. 6.—Between Nashville, Tenn., and Bristol, Va.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions or officials of the States involved in this application.

*It appearing,* That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

*It is ordered,* That the above-entitled matter be, and it is hereby, referred to Examiner J. L. Bradford for hearing on the 9th day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the Tennessee Railroad & Public Utilities Commission, Nashville, Tenn., and for recommendation of an appropriate order thereon accompanied by the reasons therefor;

*It is further ordered,* That notice of this proceeding be duly given;

*And it is further ordered,* That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 3094—Filed, October 26, 1936; 12:12 p. m.]

#### ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of October A. D. 1936.

[No. MC 61265]

#### APPLICATION OF SOUTHEASTERN MOTOR FREIGHT, INC., FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Southeastern Motor Freight, Inc., of 151 First Avenue, South, Nashville, Tenn., for a Certificate of Public Convenience and Necessity (Form BMC 8), to Extend Its Present Operation Filed on Form BMC 1, Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, in the States of Ohio, Georgia, Tennessee, and Kentucky, Over the Following Routes:

*Route No. 1.*—Between Cincinnati, Ohio, and Atlanta, Ga.

*Route No. 2.*—Between Cincinnati, Ohio, and Memphis, Tenn.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

*It appearing,* That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

*It is ordered,* That the above-entitled matter be, and it is hereby, referred to Examiner J. L. Bradford for hearing on the 12th day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the Tennessee Railroad and Public Utilities Commission, Nashville, Tenn., and for recommendation of an appropriate order thereon accompanied by the reasons therefor;

*It is further ordered,* That notice of this proceeding be duly given;

*And it is further ordered,* That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice

which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 3095—Filed, October 26, 1936; 12:13 p. m.]

#### ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of October A. D. 1936.

[No. MC 61265]

#### APPLICATION OF SOUTHEASTERN MOTOR FREIGHT, INC., FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Southeastern Motor Freight, Inc., of 151 First Avenue, South, Nashville, Tenn., for a Certificate of Public Convenience and Necessity (Form BMC 1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, in the States of Tennessee, Ohio, Georgia, and Kentucky, Over the Following Routes

*Route No. 1.*—Between Nashville, Tenn., and Cincinnati, Ohio.

*Route No. 2.*—Between Nashville, Tenn., and Atlanta, Ga.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

*It appearing,* That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

*It is ordered,* That the above-entitled matter be, and it is hereby, referred to Examiner J. L. Bradford for hearing on the 12th day of November A. D. 1936, at 10 o'clock a. m. (standard time), at the Tennessee Railroad and Public Utilities Commission, Nashville, Tenn., and for recommendation of an appropriate order thereon accompanied by the reasons therefor;

*It is further ordered,* That notice of this proceeding be duly given;

*And it is further ordered,* That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 3096—Filed, October 26, 1936; 12:13 p. m.]

[Fourth Section Application No. 16569]

#### PLUMBERS' GOODS FROM SHEBOYGAN, WIS.

OCTOBER 24, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: B. T. Jones, Agent.  
Commodities involved: Plumbers' goods, carloads.  
From: Sheboygan, Wis.  
To: Bay Ridge, N. Y.  
Grounds for relief: Water competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission

in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 3097—Filed, October 26, 1936; 12:13 p. m.]

#### RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 25]

#### ALLOCATION OF FUNDS FOR LOANS

OCTOBER 23, 1936.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Indiana-32 Hancock	(Additional) \$45,000.
Indiana 59 Wayne	(partial) 75,000.
Indiana 80 Noble	(partial) 75,000.

MORRIS L. COOKE, *Administrator*.

[F. R. Doc. 3090—Filed, October 26, 1936; 10:02 a. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

##### SECURITIES ACT OF 1933—

##### INTERESTS INVOLVING NON-CONTIGUOUS TRACTS

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly Sections 3 (b) and 19 (a) thereof, and finding that the adoption of the Rule hereby adopted is necessary to carry out the provisions of the Act, and is necessary and appropriate in the public interest and for the protection of investors, hereby takes the following action:

A new rule reading as follows is hereby adopted, incorporated in Regulation B, and designated as Rule 335:

**RULE 335. Interests Involving Non-contiguous Tracts.**—Oil or gas interests involving non-contiguous tracts of land may be included in the same offering sheet only upon condition that:

(a) All interests thereby offered for sale are landowners' producing royalty interests;

(b) All tracts so involved are currently producing oil or gas and are located wholly within the limits of the same oil or gas pool.

(c) All tracts so involved are being currently operated by the same operator under a single oil and gas lease executed by one or more landowners, each of whom was, at the time of the execution of said oil and gas lease, the owner of a fee interest in each of the tracts involved.

(d) The purchaser of any such interest is entitled to the same fractional portion of the oil and gas produced from each tract covered by said lease, irrespective of the specific tract to which such purchaser may receive a conveyance and irrespective of the specific tract from which such production may be obtained.

The adoption of Rule 335 shall become effective October 21, 1936.

[SEAL] ORVAL L. DUBOIS, *Acting Secretary*.

[F. R. Doc. 3102—Filed, October 26, 1936; 12:58 p. m.]

##### United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 23rd day of October A. D. 1936.

[File No. 2-2001]

#### IN THE MATTER OF CENTRAL MAINE POWER COMPANY

#### ORDER CONSENTING TO FILING OF AMENDMENT AND DECLARING REGISTRATION STATEMENT AMENDED IN ACCORDANCE WITH REFUSAL ORDER

This matter coming on to be heard by the Commission upon the registration statement of Central Maine Power Company of Augusta, Maine, originally filed March 19, 1936, and upon the amendments of said registration statement of April 6 and October 21, 1936, and the Commission being now fully advised in the premises,

It is declared, that the amendment filed October 21, 1936, amends the statement in accordance with the order issued April 25, 1936, refusing to permit the registration statement to become effective, and

It is ordered, that the Commission hereby gives its consent to the filing of such amendment as a part of said registration statement.

Said Registrant is hereby notified that the records of the Commission show October 23, 1936, as the effective date of said Registration Statement.

Attention is directed to Rules 800 (b) and 970 of the General Rules and Regulations, relating, respectively, to the requirements for the filing of twenty copies of the actual prospectus used and statement of price at which securities were actually offered.

Attention shall be directed to the provisions of Section 23, Securities Act of 1933, which follow: "Neither the fact that the registration statement for a security has been filed or is in effect nor the fact that a stop order is not in effect with respect thereto shall be deemed a finding by the Commission that the registration statement is true and accurate on its face or that it does not contain an untrue statement of fact or omit to state a material fact, or be held to mean that the Commission has in any way passed upon the merits of, or given approval to, such security. It shall be unlawful to make, or cause to be made, to any prospective purchaser any representation contrary to the foregoing provisions of this section."

By direction of the Commission.

[SEAL]

ORVAL L. DUBOIS, *Acting Secretary*.

[F. R. Doc. 3163—Filed, October 26, 1936; 12:59 p. m.]

##### United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 22nd day of October A. D. 1936.

[File No. 2-2167]

#### IN THE MATTER OF G. A. DYE SYNDICATE

#### ORDER DIRECTING HEARING UNDER SECTION 8 (B) OF THE SECURITIES ACT OF 1933, AS AMENDED, AND DESIGNATING OFFICER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

The Commission having heretofore, on June 1, 1936, by order under Section 8 (b) of the Securities Act of 1933, as amended, refused to permit the registration statement filed May 15, 1936, by G. A. Dye Syndicate to become effective until it has been amended in accordance with such order.

It is ordered, that a hearing be held under Section 8 (b) of said Act, as amended, to determine whether the said registration statement has been amended in accordance with such order; and,

It is further ordered, that the taking of testimony in this proceeding begin on the 2nd day of November 1936, at 2 o'clock in the afternoon of that day, in Room 1103, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C., and continue thereafter at such time and place as the officer hereinafter designated may determine; and

It is further ordered, that Charles S. Lobingier, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their

attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of testimony in this matter, the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS, *Acting Secretary.*

[F. R. Doc. 3099—Filed, October 26, 1936; 12:57 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 24th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE EXCHANGE-DRILLING-MILLS FARM, FILED ON OCTOBER 9, 1936, BY ANDREW J. BARRETT, RESPONDENT

ORDER FOR CONTINUANCE\*

The Securities and Exchange Commission having been requested by its counsel for a continuance of the hearing in the above entitled matter, which was last set to be heard at 10:30 o'clock in the forenoon on the 30th day of October 1936 at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 10:00 o'clock in the forenoon on the 14th day of November 1936 at the same place and before the same trial examiner.

By the Commission.

[SEAL] ORVAL L. DuBOIS, *Acting Secretary.*

[F. R. Doc. 3101—Filed, October 26, 1936; 12:58 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 24th day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE GULF-EHRLICH FARM, FILED ON OCTOBER 5, 1936, BY ANDREW J. BARRETT, RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above entitled matter, which was last set to be heard at 10:30 o'clock in the forenoon on the 26th day of October 1936 at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 11:00 o'clock in the forenoon on the 9th day of November 1936 at the same place and before the same trial examiner.

By the Commission.

[SEAL] ORVAL L. DuBOIS, *Acting Secretary.*

[F. R. Doc. 3100—Filed, October 26, 1936; 12:57 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 23rd day of October A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SHELL-MYERS FARM, FILED ON SEPTEMBER 21, 1936, BY ANDREW J. BARRETT, RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above entitled matter, which was last set to be heard at 10:00 o'clock in the forenoon on the 24th day of October 1936 at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 10:00 o'clock in the forenoon on the 7th day of November 1936 at the same place and before the same trial examiner.

By the Commission.

[SEAL] ORVAL L. DuBOIS, *Acting Secretary.*

[F. R. Doc. 3098—Filed, October 26, 1936; 12:57 p. m.]

*Wednesday, October 28, 1936*

*No. 162*

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

[T. D. 4702]

PROCEDURE FOR THE DISPOSITION OF SINGLINGS AND THE REPORTING OF BRANDY PRODUCED AND GAUGED AT FRUIT DISTILLERIES

*To District Supervisors and Others Concerned:*

Pursuant to the authority conferred by the Act of March 3, 1877 (U. S. C., 1934 ed., title 26, sec. 1259), Paragraphs 389, 445 and 447 of Regulations 7 (issued May, 1930), Part 3, relative to the Production of Brandy, are hereby amended as follows:

Paragraph 389 is amended by adding the following subparagraph:

All singlings should, whenever practicable, be doubled and ready for gauging by or before the end of the month. Any singlings carried forward to the succeeding month should be doubled and ready for gauging and removal on or before the 10th of the month, otherwise singlings will be liable to tax as brandy.

Paragraph 445 is amended to read as follows:

PAR. 445. Form 15 will be kept by every fruit distiller for each month or portion of a month his still is registered as in use, or brandy or distilling material remains on the premises. At the close of the month and immediately after all brandy produced during the month has been gauged, but in no case later than the 10th of the succeeding month, the distiller will render copies in duplicate of such form to the District Supervisor. The Form 15 kept by the distiller will be retained at his distillery as a permanent record, in bound form, subject to inspection by Government officers at any reasonable hour.

Paragraph 447 is amended to read as follows:

PAR. 447. The quantity of brandy reported produced in all cases should be taken from the gauger's reports on Form 59½. The quantity of singlings produced will be determined by the gauger and reported in accordance with Paragraph 383 of these regulations.

[SEAL]

CHAS. T. RUSSELL,

*Acting Commissioner of Internal Revenue.*

Approved, October 22, 1936.

WAYNE C. TAYLOR,

*Acting Secretary of the Treasury.*

[F. R. Doc. 3104—Filed, October 26, 1936; 3:15 p. m.]

United States Processing Tax Board of Review.

RULES OF PRACTICE AND PROCEDURE BEFORE THE UNITED STATES PROCESSING TAX BOARD OF REVIEW

These rules are prescribed pursuant to the authority of section 906 (d) of the Revenue Act of 1936 (49 Stat. 1648).

